

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Servants-Allegations of corruption against Sri Ch. Srihari son of Ch. Yellaiah, Assistant Engineer, Irrigation & Command Area Development, Dharmaram Mandal, In-charge of Kataram Mandal, Peddapally division, Karimnagar District-Trapped by Anti-Corruption Bureau Officials on 21.08.2007-Revised Prosecution Orders-Issued.

IRRIGATION & CAD (SER.VI.2) DEPARTMENT

G.O.Ms.No. 134

Dt:13 .08.2008.

O R D E R:

Whereas, Sri Ch. Srihari, worked as Assistant Engineer Irrigation & Command Area Development, Dharmaram Mandal In-charge of Kataram mandal, Peddapally Division, Karimnagar district during the period from 12.12.2001 to 21.08.2007 and as such he is a public servant with the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, it is alleged that, Sri B. Ravinder Reddy resident of Nakkalagutta, Hanumakonda, Warangal District, is a civil contractor. In the year 2005, he was awarded the contract work for construction of new tank at Maddulapally Village, Kataram mandal of Karimnagar District worth an estimated cost of Rs. 52.00 lakhs. He entered into an agreement with Superintending Engineer, I.B. Nirmal vide L.S. agreement No.l8/2006-07 dt. 28.10..2006. He started execution of the work in the month of December, 2006. The said work was executed under the supervision of Sri A. Vasantha Rao in-charge Executive Engineer, Irrigation & Command Area Development, Peddapally division, Karimnagar district, and Sri Ch. Srihari, Assistant Engineer, Peddapally Division, Karimnagar District. So far he received remuneration (3 bills) for about Rs. 12.00 lakhs pertaining to the work. The measurement recorded by Sri Ch. Srihari Assistant Engineer would be check measured by Sri A. Vasantha Rao, Executive Engineer who was also in-charge Deputy Executive Engineer and would be put to pass order on the said work. At the time of commencement of the work, on the request of the local people, the alignment of the tank has been changed, due to which he has done some extra work over and above the estimated value for which, Sri Ch. Srihari, Assistant Engineer prepared the work slip and Sri A. Vasantha Rao, Executive Engineer forwarded the same to the Superintending Engineer, Nirmal. But due to some reasons the Superintending Engineer returned the same to the Executive Engineer with remarks. Then Sri B. Ravinder Reddy approached the Executive Engineer Sri A. Vasantha Rao and enquired him and on that he assured that he would issue the work slip, and also instructed to meet the Assistant Engineer Sri Ch. Srihari and ask him to prepare the Work slip. As per the instructions of the Executive Engineer he informed the same to the Assistant Engineer Sri Ch. Srihari but the Assistant Engineer has not prepared the same.

3. And whereas, on 25.07.2007, Sri B. Ravinder Reddy met Sri A. Vasantha Rao In-charge Executive Engineer and Sri Ch. Srihari, Assistant Engineer and requested to prepare the bill, on which Sri A. Vasantha Rao, Executive Engineer and Sri Ch. Srihari, Assistant Engineer demanded an amount of Rs. 20,000/- each as bribe for attending the work. Sri B. Ravinder Reddy pleaded his inability to pay such huge amount and requested to do his work. But they did not heed to his request. Many times he requested them on telephone to attend his work. but they reiterated their earlier demand for payment of bribe;

4. And whereas, on 16.08.2007, when Sri B. Ravinder Reddy went to the office of Executive Engineer at Peddapally Sri Ch. Srihari, Assistant Engineer was also present in the office. He met them and pleaded to prepare the work slip and to record his work. But they stated that, unless he pays an amount of Rs. 20,000/- to each of them as bribe, they would not do the work. He pleaded his inability to pay such huge amount. Finally they reduced the bribe amount to Rs. 15,000/- each and threatened that, if he pays the demanded bribe of Rs. 15,000/- each of them, his work would be done otherwise not. As he had no other go, he agreed to pay the demanded bribe to them and informed them, that he would meet them in two or three days after securing the amount;

5. And whereas, Sri B. Ravinder Reddy was not willing to pay the bribe to Sri Ch. Srihari, Assistant Engineer and Sri A. Vasantha Rao, in-charge Executive Engineer, he approached the Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad Range, Hyderabad and lodged a written complaint in Telugu on 17.08.2007 at 3.00 P.M. with a request to take necessary legal action against the officials. The Deputy Superintendent of Police, Anti-Corruption Bureau Hyderabad Range, Hyderabad, in-charge Deputy Superintendent of Police Karimnagar Range, Karimnagar after due verification registered a case in Cr.No.16/ACB-KNR/2007 under section 7 of the Prevention of Corruption Act, 1988 at 10.00 A.M. on 21.08. 2007 and took up the investigation;

6. And whereas, Sri Ch. Srihari, Assistant Engineer demanded and accepted an amount of Rs. 15,000/- as illegal gratification other than legal remuneration from the said Sri B. Ravinder Reddy at Srinivasa Lodge, Karimnagar, Karimnagar District on 21.08.2007 at about 9:10 P.M. and he was trapped by the Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad Range, Hyderabad In-charge Karimnagar Range, Karimnagar District. The tainted amount of Rs. 15,000/- was recovered at his instance found from his right watch pocket (secret pocket) of his pant. The both hand fingers of Sri Ch. Srihari, Assistant Engineer yielded positive results, when the inner flap of the watch pockets of the pant which came into contact with the tainted amount was subjected to phenolphthalein test it yielded positive result. The Deputy Superintendent of Police, Anti-Corruption Bureau seized the tainted amount of Rs. 15,000/- and also seized the wearing pant with the attestation of mediators. The connected Record / Documents have been seized from Sri Ch. Srihari, Assistant Engineer with the attestation of mediators;

7. And whereas, the above said acts of Sri Ch. Srihari, Assistant Engineer, Irrigation & Command Area Development, Dharmaram Mandal, In-charge Kataram Mandal, Peddapally Division, Karimnagar District constitute an offence punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Central Act 49 of 1988) and section 34 of the Indian Penal Code, 1860;

8. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Ch. Srihari, Assistant Engineer Irrigation & Command Area Development, Dharmaram Mandal, In-charge of Kataram Mandal, Peddapally division, Karimnagar District from his office, after carefully examining the material placed before them in respect of the said allegations and having regard to the circumstances of the case and considered that, the said Sri Ch. Srihari, Assistant Engineer, should be prosecuted in a competent court of law for the aforesaid offences;

9. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and in super session of the orders issued in G.O.Ms.No.59, Irrigation & CAD (Ser.VI.2) department, dated 28th April, 2008 the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Ch. Srihari, Assistant Engineer, Irrigation & Command Area Development, Dharmaram Mandal, in-charge of Kataram Mandal, Peddapally Division, Karimnagar District for the offences punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and section 34 of the Indian Penal Code, 1860 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.P.TUCKER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

Copy to:
Law (B) Department.